IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 424 of 1998

Between:

M/s R.R Stones Private Limited, rep, by Managing Director Sri S.Divakar Reddy R/o No.1-8-702/32/50, Padma Colony , Nallakunta , Hyderabad

..... PETITIONER

AND

1 The State of A.P Rep by Secretary to Government, Industries & Commerce Department , Secretariat, Hyderabad.
2 The Director of Mines and Geology, BRKR Buildings , Tank Bund Road , Hyderabad.
3 The Deputy Director of Mines and Geolgy, Kurnool.
4 The Assistant Director of Mines and Geology, Anantapur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ or order one in the nature of Writ of Mandamus, declaring the action of the respondents in collecting the higher rate of seigniorage fee i.e at the rate of Rs.80/- per metric tonne on the rough granite useful for cubes from the petitioner-company contrary to Rule 12(e) of A.P Minor Mineral Rules , 1966 as totally illegal, arbitrary, unjust and unconstitutional being violative of Art. 14 and 19 (1)(g) of the Constitution of India and consequently direct the respondents to collect the seigniorage fee at the rate of Rs.40/- per metric tonne in respect of rough granite useful for cubes from the petitioner company and issue necessary dispatch permits for the transportation of the said mineral.

Counsel for the Petitioner:MR.R.RAMACHANDRA REDDY

Counsel for the Respondents: MR.B.K.BHAGWAN

The Court made the following:

ORDER:

MR. R.Ramachandra Reddy, learned counsel for the petitioner submits that the cause in the writ petition does not survive for adjudication and the same has become infructuous.

Recording the submission of the learned counsel for the petitioner, the writ petition is dismissed as having become infructuous. No costs.

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N.V.RAMANA, J

Dated March 16, 2005.

TVK

To

1 The Secretary to Government, Industries & Commerce
Department, State of A.P, Secretariat, Hyderabad.
2 The Director of Mines and Geology,
BRKR Buildings , Tank Bund Road , Hyderabad.
3 The Deputy Director of Mines and Geolgy, Kurnool.
4 The Assistant Director of Mines and Geology, Anantapur.

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